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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-first year

Identical letters dated 29 December 2016 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

I write to you following the adoption by the Security Council of resolution 2334 (2016) of 23 December 2016, a significant undertaking that has been resoundingly welcomed and accepted by the Palestinian people and their leadership, who remain steadfast in their commitment to pursuing the path of peace and achieving freedom, rights and justice on this path. While long overdue, this action by the Council is viewed as most timely, necessary and important, a view expressed by the overwhelming majority of the international community, which has welcomed the resolution's adoption.

Resolution 2334 (2016) reaffirms, inter alia, the relevant Security Council resolutions and the decades-long position that Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, have no legal validity, constitute flagrant violations under international law, in particular the Fourth Geneva Convention, and constitute a major obstacle to peace, severely diminishing the viability of the two-State solution on the basis of the 1967 borders and the possibility of realizing it and a just, lasting and comprehensive peace. Moreover, the Security Council called again, inter alia, for an immediate and complete cessation of all settlement activities by Israel, the occupying Power, and full respect of its legal obligations in this regard, stressing that this is essential for salvaging the two-State solution.

Bearing all this in mind, it is significant that the Council underscored that it would not recognize any changes to the 4 June 1967 lines, including with regard to Jerusalem, other than those agreed upon by the parties through negotiations, and called upon all States to distinguish, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. In resolution 2334 (2016), the Security Council calls for affirmative steps to be taken to reverse the

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negative trends on the ground, including with regard to settlement activities and prevention of all acts of violence against civilians, including acts of terror, and all acts of provocation, incitement and destruction, and to de-escalate the situation and create the conditions necessary for promoting peace.

In this regard, the Council called upon the parties to act on the basis of international law, and stressed the urgency of the intensification of international and regional efforts and support aimed at achieving without delay a comprehensive, just and lasting peace, on the basis of the relevant United Nations resolutions, the Madrid terms of reference, including the principle of land for peace, the Arab Peace Initiative and the Quartet road map, and an end to the Israeli occupation that began in 1967. The ongoing efforts to advance the Arab Peace Initiative, as well as the efforts of France to convene an international peace conference and the efforts of the Quartet, Egypt and the Russian Federation, were also highlighted in this regard, underscoring the necessity of charting a new horizon for peace.

Regrettably, in contrast to the global welcome and importance accorded to resolution 2334 (2016), we are witnessing the extremely hostile and negative reaction by the Government of Israel, the occupying Power, to the Security Council's action. Despite the fact that the resolution was adopted in full conformity and consistency with the Charter of the United Nations, international law, the relevant resolutions and the long-standing consensus on this matter, the Government of Israel has vehemently rejected the resolution, using belligerent language and even intimidation of and casting threats against those Member States that supported the resolution, demeaning them and flatly declaring its refusal to accept the resolution.

As widely reported, in the days immediately following the adoption of resolution 2334 (2016), the Government of Israel declared that it would move ahead with the construction of thousands of new settlement units, in particular in Occupied East Jerusalem, as well as the schemes in the Knesset to further entrench its so-called "settlement outposts" and effectively violate, distort and undermine all laws applicable to this situation. Moreover, the Government has declared that it would "not turn the other cheek", among various other hostile pronouncements and inflammatory rhetoric.

Clearly, at the moment, all indications are — as reflected in both the words of the Prime Minister of Israel and members of his Cabinet and the destructive actions that continue to be perpetrated on the ground by the occupying forces — that Israel intends to proceed apace with its illegal policies, plans and measures in Occupied Palestine, including East Jerusalem, in blatant contempt of resolution 2334 (2016), in grave violation of its legal obligations and in total contradiction to the two-State solution. Indeed, all indications are that Israel intends only to continue flouting the law and ignoring the will of the international community, instead persisting with its oppression and denial of the rights of the Palestinian people, further entrenching its illegal half-century of foreign occupation, further eroding the two-State solution and perpetuating a one-State reality, with far-reaching consequences.

In response to all of the above-mentioned facts, serious and immediate follow-up efforts are required to give meaning and tangible effect to resolution 2334 (2016). The international community must condemn this behaviour and rhetoric of Israel; it should not be rewarded in any way whatsoever for its intransigence, its violations and its continued obstruction of the peace and security being sought by

the Security Council, along with the entirety of the rest of the international community, including the Arab States, whose historic peace initiative remains a cornerstone for peace — Palestinian-Israeli peace and Arab-Israeli peace.

As we did on 23 December 2016, we again appeal to the Security Council to stand firm in its decision and the law and to stand on the right side of history. It should not be cowed or intimidated by the hostile reaction of the occupying Power or the negative spin or threats. Rather, it must act resolutely to demand compliance with the law in order to tangibly contribute to the de-escalation of tensions and a reversal of the negative trends on the ground and to salvage the two-State solution and the prospects for peace, whereby an independent, sovereign and contiguous State of Palestine, with East Jerusalem as its capital, can exist side by side with the State of Israel in peace and within secure and recognized borders, and all final status issues will be justly and satisfactorily resolved, including a just solution for the Palestine refugees.

We are confident that this lofty objective of peace was indeed the objective of the members of the Security Council that sponsored and presented the resolution for action and all those supporting its adoption. We thus urge, at this critical juncture, the Council and all States to act with seriousness of purpose and intent to uphold the law and implement this resolution, with due respect for the Charter of the United Nations and all other relevant resolutions, for the sake of peace for both peoples and our region.

The present letter is in follow-up to our 599 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 20 December 2016 (A/ES-10/736-S/2016/1083) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations